

Application No.: 09/814,601

Docket No.: GE04347/BCS03455  
(PATENT)**REMARKS**

Claims 1 has been amended. No new matter has been added.

Claims 2-5 are believed to be in "original" form, however, Applicant's attorney is missing part of the file wrapper and cannot confirm that these claims are indeed "Original".

Thus, claims 1-5 remain pending in the instant application. Reconsideration of this application is respectfully requested.

Claims 1-5 stand rejected under 35 U.S.C. §102(e) as being anticipated by Slivka et al. (U.S. Patent 6,049,671).

Claim 1 has been amended to include the limitation of "said secure kernel including computer code ... and boot code for allowing said network appliance to initially boot up and establish communication with said network host". Supported for the above-recited "boot code" limitation can, at least, be found on page 2, lines 9-11 and page 3, lines 4-5 of the instant Specification.

Slivka fails to teach or disclose a "secure kernel including computer code ... and boot code for allowing said network appliance to initially boot up and establish communication with said network host." Thus, claim 1 is believed to be in condition for allowance. Hence, the outstanding rejection to claim 1 should be withdrawn.

Remaining claims 2-5 all depend from claim 1. As such, the rejections to claims 2-5 should be withdrawn in light of amended claim 1.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to pass this application to issue.

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Respectfully submitted,

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